

REMARKS

In an Office Action mailed, the Examiner has imposed a Restriction Requirement to one of the following inventions under the provisions of 35 U.S.C. §121 and §372:

Group I: Claims 1-2, 4-23, 27 and 28, drawn to a protein of *N. meningitidis* named NMB0928 characterized by being an antigen able to generate in the recipient organism a protective response against infections caused by bacterial from the *Neisseria* genus and by having the amino acid sequence identified in the sequence list as SEQ. ID. NO. 4.

Group II: Claims 3, 24-26 and 29, drawn to a gene NMB0928 according to claim 2, characterized by having the base sequence identified in the sequence list as SEQ. ID. NO. 3 and codifying for the protein in claim 1.

Group III: Claim 30, drawn to use the NMB0928 protein or its fragments, according to claim 1, in biosensors or other pharmaceutical or biotechnological applications.

Group IV: Claim 31, drawn to the use of the gene NMB0928, according to claim 3, or its fragments, in biosensors or other pharmaceutical or biotechnological applications.

In response, Applicants elect the invention of Group I, claims 1-2, 4-23, 27 and 28, without traverse. However, by the present amendment, applicants have canceled claims 1-31 and added new claims 32-46, which relate to a method of using the protein of *N. meningitidis* (SEQ ID NO:4), that was originally identified in Group I, to prevent and treat infection.

Applicants reserve the right to pursue the remaining non-elected inventions in divisional applications.

It is now believed that this application is in condition for further consideration and examination. If resolution of any remaining issues is required prior to examination of the application, it is respectfully requested that the Examiner contact Applicants' representative at the telephone number provided below.

Respectfully submitted,

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